

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

ANDRES RIVERA, as parent and next  
friend of A.R., a minor,

Plaintiff,

v.

Civ. No. 13-00397 KG/KBM

VOLVO CARS OF NORTH AMERICA, LLC,  
a Delaware Corporation; ROE CORPORATIONS  
I-X, inclusive; and JOHN DOES I-X, inclusive,

Defendants.

FINAL ORDER FOR PARTIAL SUMMARY JUDGMENT

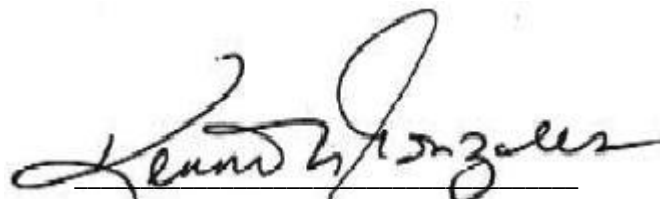
THIS MATTER comes before the Court upon Plaintiff's Motion for Partial Summary Judgment (Doc. 240), filed on April 1, 2015. On July 2, 2015, the Court held a telephonic hearing on Plaintiff's Motion for Partial Summary Judgment. James Ragan, counsel for Plaintiff, and Todd Rinner and Jeffrey Croasdell, counsel for Defendant Volvo Cars of North America, L.L.C. (VCNA), attended the hearing telephonically. Having granted, in part, Plaintiff's Motion for Partial Summary Judgment (Doc. 240), for the reasons stated on the record at the July 2, 2015, hearing,

IT IS ORDERED that

1. summary judgment is entered in favor of Plaintiff as to Defendant VCNA's fourth affirmative defense of A.R.'s comparative negligence in the Answer (Doc. 294), filed May 13, 2015;
2. Defendant VCNA's fourth affirmative defense of A.R.'s comparative negligence in the Answer is dismissed with prejudice;
3. summary judgment is entered in favor of Plaintiff as to Defendant VCNA's fifth,

sixth, and ninth affirmative defense of independent intervening cause in the Answer (Doc. 294),  
filed May 13, 2015; and

4. Defendant VCNA's fifth, sixth, and ninth affirmative defense of independent  
intervening cause in the Answer is dismissed with prejudice.



UNITED STATES DISTRICT JUDGE